



115w 37378

PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/709,162
Filing Date	November 10, 2000
First Named Inventor	Guillermo J. Tearney
Art Unit	3737
Examiner Name	To be assigned
Attorney Docket Number	187718/US/2 - 475387-245

### ENCLOSURES (Check all that apply)

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>PTO-1449 form with references and Return Receipt postcard |
|---|--|--|

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Dorsey & Whitney, L.L.P.		
Signature			
Printed name	Gary Abelev, Esq.		
Date	May 16, 2007	Reg. No.	Reg. No. 40,479

### CERTIFICATE OF TRANSMISSION/MAILING

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Signature			
Typed or printed name	Gary Abelev, Esq.	Date	May 16, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/04

# **FEE TRANSMITTAL SHEET (FY 2005)**

**Complete if Known**

Application No.	09/709,162
Filing Date	November 10, 2000
First Inventor	Guillermo J. Tearney
Group Art Unit	3737
Examiner Name	To be assigned
Atty. Docket Number	187718/US/2 – 475387-245

☒ Applicant claims small entity status (see 37 C.F.R. 1.27)
**METHOD OF PAYMENT (Check One)**
☒ Check      ☐ Credit Card      ☐ Money Order

☒ Deposit Account No.: **50-2054**
Deposit Account Name: **DORSEY & WHITNEY LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge any additional fees or underpayments of fee(s) under 37 C.F.R. 1.16 and 1.17

☒ Credit any overpayments

☐ Other (please identify):
**Extra Claim Fees**

Current Claims	Prior	Extra	Fee	Fee Paid
Total	-	=	x \$	= \$
Ind.	-	=	x \$	= \$
Multiple Dependent Claims	-	=	x \$	= \$
<b>Subtotal (Extra Claims)</b>				<b>\$</b>

**Petition Fee Under 37 CFR 1.17(f), (g), & (h)**

Enclosed is a Petition filed under 37 CFR as indicated below:

- ☐ **Petition Fee under 37 CFR 1.17(f) Fee \$400**
- § 1.53(e) to accord a filing date.
  - § 1.57(a) to accord a filing date.
  - § 1.182 for decision on a question not provided for.
  - § 1.183 to suspend the rules.
  - § 1.378(e) for reconsideration of decision on petition refusing delayed payment of maintenance fee in expired patent.
  - § 1.174(b) to accord a filing date to an application under § 1.740 for extension of patent term.
- ☐ **Petition Fee under 37 CFR 1.17(g) Fee \$200**
- § 1.12 for access to an assignment record.
  - § 1.14 for access to an application.
  - § 1.47 for filing by other than all inventors or person not the inventor.
  - § 1.59 for expungement of information.
  - § 1.103(a) to suspend action in an application.
  - § 1.136(b) for review of a request for ext. of time when § 1.136(a) not avail.
  - § 1.295 for review of refusal to publish a statutory invention registration.
  - § 1.296 to withdraw a req. for pub. after notice of intent to publish issued.
  - § 1.377 for review of decision refusing to accept a maintenance fee filed prior to expiration of a patent.
  - § 1.550(c) for request for ext. of time in *ex parte* reexam. proceedings.
  - § 1.956 for request for ext. of time in *ex parte* reexam. proceedings.
  - § 5.12 for expedited handling of foreign filing license.
  - § 5.15 for changing the scope of a license.
  - § 1.5.25 for retroactive license.
- ☐ **Petition Fee under 37 CFR 1.17(h) Fee \$130**
- § 1.19(g) to request documents in a form other than provided in this part.
  - § 1.84 for accepting color drawings or photographs.
  - § 1.91 for entry of a model or exhibit.
  - § 1.102(d) to make an application special.
  - § 1.138(c) to expressly abandon an application to avoid publication.
  - § 1.313 to withdraw an application from issue.
  - § 1.314 to defer issuance of a patent.

**FEE CALCULATION (Continued)****3. ADDITIONAL FEES**

Large Entity Fee	Small Entity Fee	Fee Description	Fee paid
50	25	Surcharge - late provisional filing fee or cover sheet	
130	65	Surcharge - Late nonprovisional filing fee or oath	
180	180	Submission of IDS	180
40	40	Recording each patent assignment per property (times number of properties)	
120	60	Extension for reply within first month	
450	225	Extension for reply within second month	
1,020	510	Extension for reply within third month	
1,590	795	Extension for reply within fourth month	
2,160	1,080	Extension for reply within fifth month	
790	395	Submission After Final 1.129	
500	250	Notice of Appeal	
500	250	Filing a brief in support of an appeal	
1,000	500	Request for oral hearing	
130	65	Terminal Disclaimer Fee	
800	400	Design Issue Fee	
790	395	Request for Continued Examination (RCE)	
130		Request for voluntary publication or republication	
500	250	Petition to Revive - unavoidable	
1,500	750	Petition to Revive - unintentional	
200		Filing for patent term adjustment	
400		Request for reinstatement of term reduced	
1,120		Extension of term of patent	

OTHER FEE (specify)

**Subtotal (Additional Fees)****Total Amount of Payment: \$180**

Submitted by:

**CUSTOMER NUMBER**  
**30873**

DORSEY &amp; WHITNEY LLP

**250 Park Avenue**  
**New York, NY 10177**

Name: Gary Abelev, Esq.

Phone No.: 212-415-9371

Fax No.: **212-953-7201**Signature: 

Reg. No.: Reg No. 40,479

Date: May 16, 2007



187718/US – 475387-00245 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Guillermo J. Tearney et al.  
Serial No. : 09/709,162  
Filed : November 10, 2000  
Entitled : SPECTRALLY ENCODED MINIATURE ENDOSCOPIC  
IMAGING PROBE  
Group Art Unit : 3737  
Examiner : Eleni M. Mantis Mercader  
Confirmation No. : 3219

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. § 1.97(i)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

I hereby certify that this document is being sent via First Class U. S.  
mail addressed to: Commissioner for Patents, P.O. Box 1450,  
Alexandria, Virginia 22313-1450 on this day of May 16, 2007.

  
(Signature)

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants respectfully requests that the listed references on the enclosed form PTO-1449 be placed in the file of the above-referenced application. Copies the PCT, foreign and non-patent references are enclosed

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute “prior art.” If the Examiner applies the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute “prior art” under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

05/21/2007 HVUONG1 00000052 09709162

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If the Examiner applies the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute “prior art” under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of the documents.

The requisite fee of \$180.00 pursuant to these sections and 37 C.F.R. § 1.17(p) is enclosed herewith. The Commissioner is hereby further authorized to charge any deficiencies and credit any over payments for the submission of this Information Disclosure Statement to the Dorsey & Whitney’s Deposit Account 50-2054.

Respectfully submitted,

**DORSEY & WHITNEY, LLP**



Gary Abelev  
USPTO Reg. No. 40,479  
Attorney for Applicants  
(212) 415-9371

May 16, 2007

4837-3912-8833\1

Form PTO-1449 U.S. Department of Commerce  
(REV. 2-82) Patent and Trademark Office

Atty. Docket No.  
187718/US/2 – 475387-  
00245

Serial No.  
09/709,162

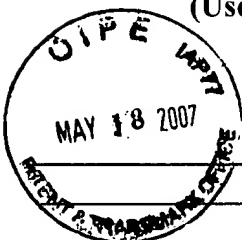
# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use several sheets if necessary)

Applicant(s)  
Guillermo J. Tearney et al.

Filing Date  
November 10, 2000

Group  
To be assigned



## **U.S. PATENT DOCUMENTS**

*Exam. Init.	Document No.	Date	Name	Class	Subclass	Filing Date if Appropriate
	6 2 4 9 3 4 9	June 19, 2001	Lauer*****			
2002	0 0 8 5 2 0 9	July 4, 2002	Mittleman et al. *****			
	7 0 0 6 2 3 1	February 28, 2006	Ostrovsky et al. *****			
	6 1 3 4 0 0 3	October 17, 2000	Tearney et al. *****			

## **FOREIGN PATENT DOCUMENT**

Document No.	Date	Country	Class	SubClass	Translator Yes No

\*\*\*\*\*References cited in Office Action dated December 6, 2006 for U.S. Patent Application No. 10/997,789

\*\*\*\*\*References cited in Office Action dated December 18, 2006 for U.S. Patent Application No. 10/501,276

## **OTHER DOCUMENTS (including Author, Title Date, Pertinent Pages, Etc.)**

	Copy of Office Action dated December 6, 2006 for U.S. Patent Application No. 10/997,789
	Elliott, K. H. "The use of commercial CCD cameras as linear detectors in the physics undergraduate teaching laboratory", European Journal of Physics 19, 1998, pages 107-117 *****
	Lauer, V. "New approach to optical diffraction tomography yielding a vector equation of diffraction tomography and a novel tomographic microscope", Journal of Microscopy Vol. 205, Issue 2, 2002, pages 165-176 *****
	Yu, P. et al. "Imaging of tumor necroses using full-frame optical coherence imaging", Proceedings of SPIE Vol. 4956, 2003, pages 34-41 *****

Examiner

Date Considered

\* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 U.S. Department of Commerce  
(REV. 2-82) Patent and Trademark Office

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			Zhao, Y. et al. "Three-dimensional reconstruction of in vivo blood vessels in human skin using phase-resolved optical Doppler tomography", IEEE Journal of Selected Topics in Quantum Electronics 7.6 (2001): 931-935*****
			Copy of Office Action dated December 18, 2006 for U.S. Patent Application No. 10/501,276
			Devesa, Susan S. et al. (1998) "Changing Patterns in the Incidence of Esophageal and Gastric Carcinoma in the United States." <u>American Cancer Society</u> Vol. 83, No. 10 pp. 2049-2053
			Barr, H et al. (2005) "Endoscopic Therapy for Barrett's Oesophagus" <u>Gut</u> Vol. 54:875-884
			Johnston, Mark H.(2005) "Technology Insight: Ablative Techniques for Barrett's Esophagus – Current and Emerging Trends" <u>www.Nature.com/clinicalpractice/gasthep</u>
			Falk, Gary W. et al. (1997) "Surveillance of Patients with Barrett's Esophagus for Dysplasia and Cancer with Ballon Cytology" <u>Gastroenterology</u> Vol. 112, pages 1787-1797
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			Froehly, J. et al. (2003) "Multiplexed 3D Imaging Using Wavelength Encoded Spectral Interferometry: A Proof of Principle" <u>Optics Communications</u> Vol 222, pages 127-136
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			Sharma, P. et al.(2003) "Magnification Chromoendoscopy for the Detection of Intestinal Metaplasia and Dysplasia in Barrett's Oesophagus" <u>Gut</u> Vol. 52, pages 24-27
			Kuipers E.J et al. (2005) "Diagnostic and Therapeutic Endoscopy" <u>Journal of Surgical Oncology</u> Vol. 92, pages 203-209
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		Adrain, Alyn L. et al. (1997) "High-Resolution Endoluminal Sonography is a Sensitive Modality for the Identification of Barrett's Meaplasia" <u>Gastrointestinal Endoscopy</u> Vol. 46, No. 2, pages 147-151
		Canto, Marcia Irene et al (1999) "Vital Staining and Barrett's Esophagus" <u>Gastrointestinal Endoscopy</u> Vol. 49, No. 3, part 2, pages 12-16
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		Brown, Stanley B. et al. (2004) "The Present and Future Role of Photodynamic Therapy in Cancer Treatment" <u>The Lancet Oncology</u> Vol. 5, pages 497-508
		Boogert, Jolanda Van Den et al. (1999) "Endoscopic Ablation Therapy for Barrett's Esophagus with High-Grade Dysplasia: A Review" <u>The American Journal of Gastroenterology</u> Vol. 94, No. 5, pages 1153-1160
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		Soetikno, Roy M. et al. (2003) "Endoscopic Mucosal resection" <u>Gastrointestinal Endoscopy</u> Vol. 57, No. 4, pages 567-579
		Ganz, Robert A. et al. (2004) "Complete Ablation of Esophageal Epithelium with a Balloon-based Bipolar Electrode: A Phased Evaluation in the Porcine and in the Human Esophagus" <u>Gastrointestinal Endoscopy</u> Vol. 60, No. 6, pages 1002-1010
		Pfefer, Jorje at al. (2006) "Performance of the Aer-O-Scope, A Pneumatic, Self Propelling, Self Navigating Colonoscope in Animal Experiments" <u>Gastrointestinal Endoscopy</u> Vol. 63, No. 5, pages AB223

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		Overholt, Bergein F. et al. (1999) "Photodynamic Therapy for Barrett's Esophagus: Follow-Up in 100 Patients" <u>Gastrointestinal Endoscopy</u> Vol. 49, No. 1, pages 1-7
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		McKenzie, A. L. (1990) "Physics of Thermal Processes in Laser-Tissue Interaction" <u>Phys. Med. Biol</u> Vol. 35, No. 9, pages 1175-1209
		Anderson, R. Rox et al. (1983) "Selective Photothermolysis" Precise Microsurgery by Selective Absorption of Pulsed Radiation" <u>Science</u> Vol. 220, No 4596, pages 524-527
		Jacques, Steven L. (1993) "Role of Tissue Optics and Pulse Duration on Tissue Effects During High-Power Laser Irradiation" <u>Applied Optics</u> Vol. 32, No. 13, pages 2447-2454
		Nahen, Kester et al. (1999) "Investigations on Acosustic On-Line Monitoring of IR Laser Ablation of burned Skin" <u>Lasers in Surgery and Medicine</u> Vol. 25, pages 69-78
		Jerath, Maya R. et al. (1993) "Calibrated Real-Time Control of Lesion Size Based on Reflectance Images" <u>Applied Optics</u> Vol. 32, No. 7, pages 1200-1209
		Jerath, Maya R. et al (1992) "Dynamic Optical Property Changes: Implications for Reflectance Feedback Control of Photocoagulation" <u>Journal of Photochemical, Photobiology. B: Biol</u> Vol. 16, pages 113-126
		Deckelbaum, Lawrence I. (1994) "Coronary Laser Angioplasty" <u>Lasers in Surgery and Medicine</u> Vol. 14, pages 101-110
		Kim, B.M. et al. (1998) "Optical Feedback Signal for Ultrashort Laser Pulse Ablation of Tissue" <u>Applied Surface Science</u> Vol. 127-129, pages 857-862
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		Whelan, W.M. et al. (2005) "A novel Strategy for Monitoring Laser Thermal Therapy Based on Changes in Optothermal Properties of Heated Tissues" <u>International Journal of Thermophysics</u> Vol. 26., No 1, pages 233-241
		Thomsen, Sharon et al. (1990) "Microscopic Correlates of Macroscopic Optical Property Changes During Thermal Coagulation of Myocardium" <u>SPIE</u> Vol. 1202, pages 2-11
		Khan, Misban Huzaira et al. (2005) "Intradermally Focused Infrared Laser Pulses: Thermal Effects at Defined Tissue Depths" <u>Lasers in Surgery and Medicine</u> Vol. 36, pages 270-280

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		Neumann, R.A. et al. (1991) "Enzyme Histochemical Analysis of Cell Viability After Argon Laser-Induced Coagulation Necrosis of the Skin" <u>Journal of the American Academy of Dermatology</u> Vol. 25, No. 6, pages 991-998
		Nadkarni, Seemantini K. et al (2005) "Charaterization of Atherosclerotic Plaques by Laser Speckle Imaging" <u>Circulation</u> Vol. 112, pages 885-892
		Zimnyakov, Dmitry A. et al (2002) "Speckle-Contrast Monitoring of Tissue Thermal Modification" <u>Applied Optics</u> Vol. 41, No. 28, pages 5989-5996
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		French, P.M.W. et al. (1993) "Continuous-wave Mode-Locked Cr <sup>4+</sup> : YAG Laser" <u>Optics Letters</u> Vol. 18, No. 1, pages 39-41
		Sennaroglu, Alphan at al. (1995) "Efficient Continuous-Wave Chromium-Doped YAG Laser" <u>Journal of Optical Society of America</u> Vol. 12, No. 5, pages 930-937
		Bouma, B et al. (1994) "Hybrid Mode Locking of a Flash-Lamp-Pumped Ti: Al <sub>2</sub> O <sub>3</sub> Laser" <u>Optics Letters</u> Vol. 19, No. 22, pages 1858-1860
		Bouma, B et al. (1995) "High Resolution Optical Coherence Tomography Imaging Using a Mode-Locked Ti: Al <sub>2</sub> O <sub>3</sub> Laser Source" <u>Optics Letters</u> Vol. 20, No. 13, pages 1486-1488
		Fernández, Cabrera Delia et al. "Automated detection of retinal layer structures on optical coherence tomography images", <u>Optics Express</u> Vol. 13, No. 25, October 4, 2005, pages 10200-10216
		Ishikawa, Hiroshi et al. "Macular Segmentation with optical coherence tomography", <u>Investigative Ophthalmology &amp; Visual Science</u> , Vol. 46, No. 6, June 2005, pages 2012-2017

4836-9759-5905\1

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